29th November 1928]

Alleged circular issued by the District Magistrate, Tinnevelly, regarding the trial of preliminary register cases.

*859-A Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(*a*) whether a circular was issued by the District Magistrate, Tinnevelly, in 1926 and 1927 that sub-magistrates trying preliminary register cases should remand the accused to custody when they commit the case to the Sessions Court;

(*b*) whether after the above circular even in bailable offences, the accused are remanded at the time of committal to Sessions;

(*c*) whether the abovementioned circular is still in force;

(*d*) whether the Government have any intention of having the circular withdrawn; and

(*e*) if not, why not?

A.—(*a*) The attention of the hon. Member is invited to the answer already given to question No. 1170 (starred) answered on 5th November 1927.

(*b*), (*c*), (*d*) & (*e*) A report has been called for from the District Magistrate.

Mr. S. SATYAMURTI:—"Has the report been received?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No, Sir."

Mr. S. SATYAMURTI:—"When the report is received, will the Government be pleased to lay it on the table?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I shall consider my friend's suggestion."

Alleged circular issued by the District Magistrate, Tinnevelly, regarding imprisonment of persons escaping from custody.

*859-B Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(*a*) whether the District Magistrate, Tinnevelly, has recently issued a circular that in all cases of escape from custody the subordinate magistrate should give imprisonment as punishment whenever a case is made out against the accused;

(*b*) the officer on whose suggestion this circular was sent;

(*c*) whether it was on the suggestion of the Sessions Judge;

(*d*) whether the Government propose to issue orders to the District Magistrate to cancel his circular; and

(*e*) if not, why not?

A.—(*a*) The circular issued by the District Magistrate called attention to the practice of imposing small fines in cases of conviction for escape from the custody of the officers of the civil courts and directed that imprisonment should ordinarily be imposed for such grave offences against the State and public justice.

(*b*) & (*c*) The District Magistrate issued the circular as a result of his perusing a number of calendars in these cases.

(*d*) & (*e*) The Government do not see sufficient reason to cancel the circular.